

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

Elizabeth T. Foster, Attorney at Law, LLC
NJ Bar 009152006
22 E. Quackenbush Ave.
Dumont, NJ 07628
201 290 5761
201 215 9574 fax
liztlaw@gmail.com
Attorney for Plaintiff

MacAulay Williams,
Plaintiff

V.

Civ. No. _____

Eric Fanning, Secretary of the Army/
United States Department of the Army
Defendant

C O M P L A I N T

1. This court has jurisdiction based on a federal statute, Title VII of the Civil Rights Act of 1964.
2. Plaintiff is a black male whose national origin is St.. Vincent/the Grenadines. Plaintiff is trained as an electrical engineer and holds both undergraduate and graduate degrees in electrical engineering.
3. In May 2008 plaintiff became employed by defendant, working at Fort Monmouth.
4. Plaintiff was assigned to the federal agency's Space and Terrestrial Communications Directorate of the Communications-Electronics, Research, Development and Engineering Center.
5. When plaintiff first began working for the agency, and throughout his employment, he performed successfully.
6. His only performance evaluation, which was done on July 31, 2008, was positive.

7. Plaintiff was assigned a new supervisor, Cindy Poon, who is of Asian descent.
8. Cindy Poon wanted to hire a person of Asian descent to do plaintiff's job.
9. Cindy Poon met with plaintiff on Dec. 5, 2008 and told the plaintiff she did not want him working for her, referring to him as a "lazy ass nigger."
10. Plaintiff was shocked and became ill, calling in sick on the next business day.
11. Plaintiff reported the to HR that his supervisor, Cindy Poon, was a racist and he needed to be reassigned to a new position elsewhere.
12. Nothing was done to respond to the plaintiff's request.
13. Plaintiff asked for a manual that he needed to do his job, but he was not given the manual.
14. Plaintiff was never told, prior to his termination, that he was performing poorly.
15. Plaintiff was not written up, not advised that his performance was inadequate, and not warned that he was going to be terminated.
16. Instead, he was simply fired and he was replaced by someone outside the protected classes.

Count I--Violation of Title VII--Termination Based on Protected Characteristics

17. Plaintiff is in two protected categories: black and having a national origin of St. Vincent/ the Grenadines.
18. Plaintiff was discriminated against due to his protected characteristics, he was fired without warning and his termination was a pretext for discrimination.
19. His new boss wanted to get rid of him so that she could hire an Asian person, and called him a "lazy ass nigger."
20. Plaintiff has suffered damages in the form of lost wages and emotional distress.

21. Plaintiff has met all administrative prerequisites, and gone through an EEOC proceeding, after which he is statutorily permitted to take his claim to federal court.

Wherefore, plaintiff demands judgment and payment for lost wages in the form of back pay, front pay, and emotional distress damages. Plaintiff further demands attorneys fees and costs of suit.

Jury Demand

Plaintiff demands a trial by jury.

Statement of No Other Parties

Plaintiff knows of no other parties who should be joined in this action.

Dated: Sept. 17, 2016

s/Elizabeth T. Foster
Attorney for Plaintiff